

AP6 Rec'd PCT/PTO 26 JUN 2006

Attorney Docket No.: 102790-147 (30085 US)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Thomas McGEE et al.  
Serial No.: 10/549,564  
Filed: September 20, 2005  
Examiner: To Be Assigned  
Art Group: To Be Assigned  
Title: VAPOR DISPENSING DEVICE

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21 June 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313 – 1450

**COMMUNICATION RE: NOTIFICATION OF MISSING REQUIREMENTS**

**UNDER 35 U.S.C. 371**

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The undersigned is in receipt of the *Notification of Missing Requirements* dated June 5, 2006, a copy of which is enclosed. Such *Notification* requests the transmittal of an oath or declaration of the inventors.

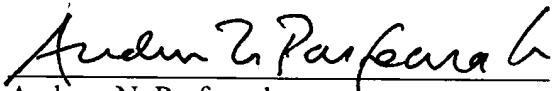
The undersigned respectfully points out that a copy of a *Combined Oath, Declaration and Power of Attorney*, as executed by the inventors was filed in the USPTO via facsimile on November 22, 2005. Copies of the following supporting papers are enclosed:

**BEST AVAILABLE COPY**

- (a) *Communication Re: Filing of Declaration on a Date Later than the Filing Date of the Application*, which was filed by facsimile in the USPTO on November 22, 2005;
- (b) the *Combined Oath, Declaration and Power of Attorney* executed by the inventors;
- (c) a facsimile cover sheet, and
- (d) a facsimile confirmation sheet showing the successful transmission of nine pages including all of the papers specified in items (a), (b) and (c).

The undersigned respectfully requests confirmation that the executed *Combined Oath, Declaration and Power of Attorney* has been added to the USPTO's records for the subject application.

Respectfully submitted,

 Date: 21 June 2006  
Andrew N. Parfomak  
Reg. No. 32,431  
Norris McLaughlin & Marcus PA  
875 Third Avenue, 18<sup>th</sup> Floor  
New York, NY 10022

Tel: 212 808-0700

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Kimberly Brittingham

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Thomas McGEE et al.  
SERIAL NO. : 10/549,564 [which is a 371 of PCT/CH2004/00102]  
FILING DATE : September 20, 2005  
TITLE : VAPOR DISPENSING DEVICE  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

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November 22, 2005

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

Sir:

It is requested that the *Combination Oath, Declaration and Power of Attorney* submitted herewith be joined up with the papers previously filed in this application.

It is requested that the surcharge of \$130.00 for the filing of the *Declaration* be charged to the undersigned's Deposit Account No. 14-1263.

**Note: To date, the undersigned representative has not yet received the “Notification of Missing Requirements” from the USPTO.**

06/30/2006 LLANDGRA 00000019 141263 10549564  
01 FC:1617 130.00 DA

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

By Andrew N. Parfomak  
Andrew N. Parfomak  
Reg. No. 32,431

ANP/kb

Enc. - Combined Oath, Declaration and Power of Attorney

875 Third Avenue, 18<sup>th</sup> Floor  
New York, New York 10022  
Tel.: (212) 808-0700  
Fax: (212) 808-0844

**CERTIFICATE OF FACSIMILE  
TRANSMITTAL**

I hereby certify that this paper and every paper referred to therein as being enclosed are being deposited by fax to the United States Patent and Trademark Office at 703-305-3230 on the date indicated below.

Print Name: Kimberly Brittingham

Date: 11/20/05

Signature: Kimberly Brittingham



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,564	Thomas McGee	102790-147 (30085 US) <i>ANP</i>

27389  
 NORRIS, MCLAUGHLIN & MARCUS  
 875 THIRD AVE  
 18TH FLOOR  
 NEW YORK, NY 10022

INTERNATIONAL APPLICATION NO.	
PCT/CH04/00102	
I.A. FILING DATE	PRIORITY DATE
02/26/2004	03/21/2003

CONFIRMATION NO. 4683

371 FORMALITIES LETTER



\*OC000000019093672\*

Date Mailed: 06/05/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/20/2005
- Copy of the International Search Report filed on 09/20/2005
- Preliminary Amendments filed on 09/20/2005
- Information Disclosure Statements filed on 09/20/2005
- Copy of references cited in ISR filed on 09/20/2005
- U.S. Basic National Fees filed on 09/20/2005
- Priority Documents filed on 09/20/2005
- Specification filed on 09/20/2005
- Claims filed on 09/20/2005
- Abstracts filed on 09/20/2005
- Drawings filed on 09/20/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**BEST AVAILABLE COPY**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,564	PCT/CH04/00102	102790-147 (30085 US)

FORM PCT/DO/EO/905 (371 Formalities Notice)

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## FAX COVER SHEET

Norris, McLaughlin & Marcus, P.A.  
875 Third Avenue, 18<sup>th</sup> Floor  
New York, NY 10022  
Facsimile (212) 808-0844  
Telephone (212) 808-0700

November 22, 2005

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FAX NUMBER: (703) 305-3230

TOTAL PAGES (including Fax Cover): 9

APPLICANT(S) : Thomas McGEE et al.  
SERIAL NO. : 10/549,564  
FILING DATE : September 20, 2005  
TITLE : VAPOR DISPENSING DEVICE  
ATTORNEY  
DOCKET NO. : 102790-147 (30085 US)

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#### Comments:

Attached are:

1. Communication Re: Filing of Declaration on a Date Later Than the Filing Date of the Application - **CHARGE DEPOSIT ACCOUNT \$130**
2. Executed Combination Oath, Declaration and Power of Attorney (6 sheets)

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